DPS-159

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

NO. 05-5448

IN RE: FRANK SONTAG, Petitioner

On a Petition for Writ of Mandamus from the United States District Court for the Western District of Pennsylvania (Related to W.D. Pa. No. 97-cv-00349)

> Submitted Under Rule 21, Fed. R. App. Pro. March 23, 2006

Before: ROTH, FUENTES AND VANANTWERPEN, Circuit Judges.

JUDGMENT

This cause came on to be heard on a petition for writ of mandamus. On consideration whereof, it is now here

ORDERED AND ADJUDGED by this Court that the petition for writ of mandamus be, and the same is, denied.

All of the above in accordance with the Opinion of the Court.

ATTEST:

/s/ Marcia M. Waldron Clerk

DATED: May 31, 200

Marcia M. Waldron, Clerk